

WINTERS FIRE EMERGENCY STABILIZATION PLAN AND REHABILITATION PLAN

APPENDIX A - Migratory Birds

On January 11, 2001, President Clinton signed the Migratory Bird Executive Order 13186. This Executive Order outlines the responsibilities of federal agencies to protect migratory birds. The United States has recognized their ecological and economic value to this country and other countries by ratifying international, bilateral conventions for the conservation of migratory birds. These migratory bird conventions impose substantive obligations on the United States for conservation of migratory birds and their habitats. The United States has implemented these migratory bird conventions through the Migratory Bird Treaty Act. President Clinton's Migratory Bird Executive Order directs executive departments and agencies to take certain actions to further implement the Migratory Bird Treaty Act. As defined in the executive order, "action" means a program, activity, project, official policy (such as a rule or regulation), or formal plan directly carried out by a federal agency. The executive order further states that each Federal agency taking actions that have, or are likely to have, a measurable negative effect on migratory bird populations is directed to develop and implement, within 2 years, a Memorandum of Understanding (MOU) with the U.S. Fish and Wildlife Service that shall promote conservation of migratory bird populations. The term "action" will be further defined in this MOU as it pertains to each federal agency's own authorities and programs.

A list of the migratory birds affected by the President's executive order is contained in 43 CFR 10.13. References to "species of concern" pertain to those species listed in the periodic report "Migratory Nongame Birds of Management Concern in the United States;" priority migratory bird species as documented by established plans, such as Bird Conservation Regions in the North American Bird Conservation Initiative or Partners in Flight physiographic areas; and those species listed in 50 CFR 17.11. The 1999 Nevada Partners in Flight Bird Conservation Plan identifies the following bird species for prioritization for management action associated the wild horse herd areas, as listed by habitat type in the following table.

Migratory Birds by Habitat Type

<u>Sagebrush</u>	<u>Montane Riparian</u>	<u>Montane Shrub</u>	<u>Cliffs and Talus</u>	<u>Aspen</u>
<u>Obligates:</u> Sage Grouse <u>Other:</u> Black Rosy Finch Ferruginous Hawk Gray Flycatcher Loggerhead Shrike Vesper Sparrow Prairie Falcon Sage Sparrow Sage Thrasher Swainson's Hawk Burrowing Owl Calliope Hummingbird <u>Other associated species:</u> Brewer's Sparrow Western Meadowlark Black-throated Sparrow Lark Sparrow Green-tailed Towhee Brewer's Blackbird Horned Lark Lark Sparrow	<u>Obligates:</u> Wilson's Warbler MacGillivray's Warbler <u>Other:</u> Cooper's Hawk Northern Goshawk Calliope Hummingbird Lewis's Woodpecker Red-Naped Sapsucker Orange-crowned Warbler Virginia's Warbler Yellow-breasted Chat <u>Other Associated Species</u> Warbling Vireo Broad-tailed Hummingbird Fox Sparrow Blue Grouse	<u>Obligates:</u> None <u>Other:</u> Black Rosy Finch Black-throated Gray Warbler Calliope Hummingbird Cooper's Hawk Loggerhead Shrike Blue Grosbeak Vesper Sparrow MacGillivray's Warbler Orange-crowned Warbler Swainson's Hawk Western Bluebird	<u>Obligates:</u> Prairie Falcon Black Rosy Finch <u>Other:</u> Ferruginous Hawk <u>Other Associated Species</u> Golden Eagle White-throated Swift Say's Phoebe Common Raven Cliff Swallow Violet-green Swallow Canyon Wren Rock Wren	<u>Obligates*:</u> None <u>Other**:</u> Northern Goshawk Calliope Hummingbird Flammulated Owl Lewis's Woodpecker Red-naped Sapsucker Mountain Bluebird Orange-crowned Warbler MacGillivray's Warbler Wilson's Warbler <u>Other Associated Species</u> Cooper's Hawk Northern Flicker Hermit Thrush Yellow-rumped Warbler Long-eared Owl

* "Obligates" are species that are found only in the habitat type described in the section. [Habitat needed during life cycle even though a significant portion of their life cycle is supported by other habitat types].

** "Other" are species that can be found in the habitat type described the Nevada Partners in Flight Bird Conservation Plan

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Appendix B - BLM Special Status Species

Definitions of Special Status Species:

Federally Threatened or Endangered Species: Any species that the U.S. Fish and Wildlife Service has listed as an endangered or threatened species under the Endangered Species Act throughout all or a significant portion of its range.

Proposed Threatened or Endangered Species: Any species that the Fish and Wildlife Service has proposed for listing as a Federally endangered or threatened species under the Endangered Species Act.

Candidate Species: Plant and animal taxa that are under consideration for possible listing as threatened or endangered under the Endangered Species Act.

BLM Sensitive Species: Species 1) that are currently under status review by the U.S. Fish and Wildlife Service, 2) whose numbers are declining so rapidly that Federal listing may become necessary; 3) with typically small and widely dispersed populations; or 4) that inhabit ecological refugia or other specialized or unique habitats.

State of Nevada Listed Species: State-protected animals that have been determined to meet BLM's Manual 6840 policy definition.

The listing of Nevada BLM Special Status Species is based on input provided by BLM, Nevada Department of Wildlife, and U.S. Fish and Wildlife Service in BLM Instruction Memorandum No. NV-2003-097 (July 29, 2003).

The effects of a proposed action on species that are listed or are proposed for listing as threatened or endangered are subject to consultation under section 7 of the ESA.

Nevada BLM policy is to provide State of Nevada Listed Species and Nevada BLM Sensitive Species with the same level of protection as is provided for candidate species in BLM Manual 6840.06C. Per wording for Table IIa. in BLM Instruction Memorandum No. NV-98-013, Nevada protected animals that meet BLM's 6840 policy definition are those species of animals occurring on BLM-managed lands in Nevada that are: (1) "protected" under authority of Nevada Administrative Codes 501.100 - 503.104; (2) have been determined to meet BLM's policy definition of "listing by a State in a category implying potential endangerment or extinction," and (3) are not already included as a federally listed, proposed, or candidate species.

The following table lists the species according to their status that are potentially affected by the proposed action specific to the propose action area.

Appendix B (Cont.)
BLM Special Status Species – Winters Fire

COMMON NAME	SCIENTIFIC NAME
Federally Endangered Species	
(None)	(None)
Federally Threatened Species	
Lahontan cutthroat trout	<i>Oncorhynchus clarki henshawi</i>
Federally Proposed Threatened or Endangered Species	
(none)	(none)
Federal Candidate Species	
Yellow-billed Cuckoo	<i>Coccyzus americanus</i>
Nevada BLM Sensitive Species	
Birds	
Golden Eagle	<i>Aquila chrysaetos</i>
Burrowing Owl	<i>Athene cunicularia</i>
Ferruginous Hawk	<i>Buteo regalis</i>
Swainson's Hawk	<i>Buteo swainsoni</i>
Northern Goshawk	<i>Accipiter gentiles</i>
Greater Sage Grouse	<i>Centrocercus urophasianus</i>
Mountain Quail	<i>Oreortyx pictus</i>
Loggerhead shrike	<i>Lanius ludovicianus</i>
Vesper sparrow	<i>Poocetes gramineus</i>
Short-eared owl	<i>Asio flammeus</i>
Long-eared owl	<i>Asio otus</i>
Prairie falcon	<i>Falco mexicanus</i>
Black-rosy finch	<i>Leucosticte atrata</i>
Yellow-breasted chat	<i>Icteria virens</i>
Lewis' woodpecker	<i>Melanerpes lewis</i>

Nevada BLM Sensitive Species (cont.)	
Mammals	
Pygmy rabbit	<i>Brachylagus idahoensis</i>
Spotted bat	<i>Euderma maculatum</i>
Small-footed myotis	<i>Myotis ciliolabrum</i>
Long-eared myotis	<i>Myotis evotis</i>
Fringed myotis	<i>Myotis thysanodes</i>
Long-legged myotis	<i>Myotis volans</i>
Yuma myotis	<i>Myotis yumanensis</i>
Pacific Townsend's big-eared bat	<i>Plecotis townsendii townsendii</i>
Prebles shrew	<i>Sorex pleblei</i>

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APPENDIX C - Wildlife Species List

Lower Sagebrush/Grassland Steppe, Northeastern Nevada
[Note: This is a partial list emphasizing upland habitat areas]

Birds

Turkey Vulture
Bald Eagle
Northern Harrier
Swainson's Hawk
Red-tailed Hawk
Ferruginous Hawk
Rough-legged Hawk
Golden Eagle
American Kestrel
Merlin
Prairie Falcon
Cray Partridge
Chukar
Sage Grouse
Mourning Dove
Great Horned Owl
Burrowing Owl
Short-eared Owl
Common Nighthawk
Broad-tailed Hummingbird
Northern Flicker
Gray Flycatcher
Ash-throated Flycatcher
Say's Phoebe
Western Kingbird
Horned Lark
Barn Swallow
Black-billed Magpie
American Crow
Common Raven
Rock Wren
Mountain Bluebird
American Robin
Sage Thrasher
Loggerhead Shrike
Northern Shrike
European Starling
Brewer's Sparrow
Vesper Sparrow
Lark Sparrow
White-crowned Sparrow
Lapland Longspur
Red-winged Blackbird
Western Meadowlark
Brewer's Blackbird
Brown-headed Cowbird
Black Rosy Finch
Gray-crowned Rosy Finch
House Sparrow

Cathartes aura
Haliaeetus leucocephalus
Circus cyaneus
Buteo swainsoni
Buteo jamaicensis
Buteo regalis
Buteo lagopus
Aquila chrysaetos
Falco sparverius
Falco columbarius
Falco mexicanus
Perdix perdix
Alectoris chukar
Centrocercus urophasianus
Zenaidura macroura
Bubo virginianus
Athene cunicularia
Asio flammeus
Chordeiles minor
Selasphorus platycercus
Colaptes auratus
Epidonax wrightii
Myiarchus cinerascens
Sayornis saya
Tyrannus verticalis
Eremophila alpestris
Hirundo rustica
Pica pica
Corvus brachyrhynchos
Corvus corax
Salpinctes obsoletus
Sialia currucoides
Turdus migratorius
Oreoscoptes montanus
Lanius ludovicianus
Lanius excubitor
Sturnus vulgaris
Poocetes gramineus
Chondestes grammacus
Amphispiza belli
Zonotrichia leucophrys
Calcarius lapponicus
Agelaius phoeniceus
Sturnella neglecta
Euphagus cyanocephalus
Molothrus ater
Leucosticte atrata
Leucosticte tephrocotis
Passer domesticus

Mammals

Little Brown Bat
Long-eared Myotis
Long-legged Myotis
Small-footed Myotis
Silver-haired Bat
Western Pipistrelle
Big Brown Bat
Townsend's Big-eared Bat
Brazilian Free-tailed Bat
Black-tailed Jackrabbit
Mountain Cottontail
Pygmy Rabbit
Townsend's Ground Squirrel
Belding Ground Squirrel
Least Chipmunk
Botta's Pocket Gopher
Northern Pocket Gopher
Little Pocket Mouse
Great Basin Pocket Mouse
Dark Kangaroo Mouse
Ord Kangaroo Rat
Chisel-toothed Kangaroo Rat
Deer Mouse
Northern Grasshopper Mouse
Desert Woodrat
Sagebrush Vole
House Mouse
Kit Fox
Coyote
Long-tailed Weasel
Badger
Striped Skunk
Mountain Lion
Bobcat
Mule Deer
Pronghorn

Myotis lucifugus
Myotis evotis
Myotis volans
Myotis ciliolabrum
Lasionycteris noctivagans
Pipistrellus hesperus
Eptesicus fuscus
Plecotus townsendii
Tadarida brasiliensis
Lepus californicus
Sylvilagus nuttallii
Sylvilagus idahoensis
Spermophilus townsendii
Spermophilus be1dingi
Tamias minimus
Thomomys bottae
Thomomys talpoides
Perognathus longimembris
Perognathus parvus
Microdipodops megacephalus
Dipodomys ordii
Dipodomys microps
Peromyscus maniculatus
Onychomys leucogaster
Neotoma lepida
Lemmiscus curtatus
Mus musculus
Vulpes macrotis
Canis latrans
Mustela frenata
Taxidea taxus
Mephitis mephitis
Felix concolor
Lynx rufus
Odocoileus hemionus
Antilocapra americana

Reptiles

Western Skink
Western Whiptail
Desert Collared Lizard
Long-nosed Leopard Lizard
Desert Spiny Lizard
Sagebrush Lizard
Western Fence Lizard
Side-blotched Lizard
Desert Horned Lizard
Short-horned Lizard
Long-nosed Snake
Ground Snake
Night Snake
Gopher Snake
Racer
Striped Whipsnake
Western Rattlesnake

Eumeces skiltonianus
Cnemidophorus tigris
Crotaphytus insularis
Gambelia wislizenii
Sceloporus magister
Sceloporus graciosus
Sceloporus occidentalis
Uta stansburiana
Phrynosoma platyrhinos
Phrynosoma douglassii
Rhinocheilus lecontei
Sonora semiannulata
Hypsiglena torquata
Pituophis melanoleucus
Coluber constrictor
Masticophis taeniatus
Crotalus viridis